

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MARVIN GAMONEDA,

Defendant.

**ORDER GRANTING  
REDUCTION IN SENTENCE**

**20 Cr. 109 (JGK)**

**BEFORE THE COURT** is a motion filed by the United States of America on behalf of the Director of the Federal Bureau of Prisons pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), seeking a reduction in the term of imprisonment of defendant MARVIN GAMONEDA to time served.

The Court hereby finds:

1. On March 15, 2021, Gamoneda pleaded guilty to one count of attempted murder and assault with a deadly weapon in aid of racketeering, in violation of 18 U.S.C. § 1959(a)(3) and (a)(5), and one count of possession of a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

2. On October 14, 2021, this Court sentenced Gamoneda to a total term of imprisonment of 156 months, to be followed by a three-year term of supervised release.

3. As described in the Government's application, Gamoneda is both terminally ill with an end-of-life trajectory and is in a debilitated medical condition.

4. The Director of the Federal Bureau of Prisons contends, and this Court agrees, that Gamoneda's medical condition constitutes "extraordinary and compelling reasons" for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A); that in his current medical state the defendant is not a danger to the community or to any other person; and that, in the current circumstances, the Section 3553(a) factors weigh in favor of compassionate release. *See* U.S.S.G. § 1B1.13.


**IT IS THEREFORE ORDERED** that Gamoneda's term of imprisonment is hereby reduced, pursuant to 18 U.S.C. § 3582(c)(1)(A), to the time he has already served; and

**IT IS FURTHER ORDERED** that Gamoneda shall be released from the custody of the Federal Bureau of Prisons as soon as his medical condition permits, the release plan described in the Government's motion is implemented, and all necessary arrangements can be made; and

**IT IS FURTHER ORDERED** that upon Gamoneda's release from the custody of the Federal Bureau of Prisons, Gamoneda shall begin serving the three-year term of supervised release previously imposed by this Court on the same conditions imposed in the judgment of conviction, except to the extent Gamoneda is unable to comply with any such condition by virtue of his medical condition.

**SO ORDERED.**

Dated: New York, New York  
December 21, 2023

  
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HON. JOHN G. KOELTL  
UNITED STATES DISTRICT JUDGE